

1 REMARKS

2 In response to the Office Action dated May 1, 2006, (hereinafter, the
3 "Action"), Applicant respectfully requests reconsideration based on the following
4 remarks.

5 A review of the claims indicates that:

6 Claims 1-7 and 9-20 were previously pending.

7 Claims 21 and 22 have been added.

8 Claims 1, 3-6, 9, 12, 17, and 20 have been amended.

9 Claim 8 was previously canceled.

10 Claim 7 has been canceled.

11 Claims 1-6 and 9-22 are currently pending in this application, with claims
12 1, 17, and 20 being independent.

13 Applicant respectfully submits that the claims as presented are in condition
14 for allowance.

15 Rejections under 35 U.S.C. §112

16 The Office rejects claims 9 and 20 under 35 U.S.C. §112, second
17 paragraph, as being indefinite for failing to particularly point out and distinctly
18 claim the subject matter which applicant regards as the invention. In particular,
19 the Office states there is insufficient antecedent basis for the feature in claim 9
20 reciting "from the message server," and the feature in claim 20 reciting "to the
21 satellite," under 35 U.S.C. §112.

Without conceding the propriety of the stated rejections, and solely to advance the prosecution of this matter, the Applicant submits that the current amendments to claims 9 and 20 overcome the Office's rejection based on insufficient antecedent basis, specifically, claim 9 has been amended to replace "from *the* message server" to "from *a* message server," and claim 20 has been amended to replace "to *the* satellite" to "to *a* satellite." Applicant submits that claims 9 and 20 are now allowable over the Office's 35 U.S.C. §112, ¶2 rejection.

Rejections under 35 U.S.C. §103(a)

The Office rejects claims 1, 4, 6, 7, 9, 10-13, 15, 17, and 20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,272,339 to Wiedeman, hereinafter "Wiedeman" in view of U.S. Patent Application Publication 2001/0037210 to Hirayama, hereinafter "Hirayama." The Office rejects claim 2 as being unpatentable over Wiedeman in view of Hirayama, further in view of U.S. Patent Publication 2005/0239399 A1 to Karabinis. The Office rejects claims 3 and 5 as being unpatentable over Wiedeman in view of Hirayama, further in view of U.S. Patent Publication 2004/0120273A1 to Border, et al, hereinafter "Border." The Office rejects claims 14 and 19 as being unpatentable over Wiedeman in view of Hirayama, further in view of U.S. Patent Application Publication 2003/0006910 to Dame, hereinafter "Dame." The Office rejects claims 16 and 18 over Wiedeman in view of Hirayama, further in view of U.S. Patent Application Publication 2003/0028890 A1 to Swart et al, hereinafter "Swart." These rejections are respectfully traversed.

1 Claim 7 has been canceled and therefore the rejection of this claim is now
2 moot.
3

4 **Claim 1**

5 Turning first to **independent Claim 1**, without conceding the propriety of
6 the stated rejection, and without conceding that the Wiedeman and Hirayama
7 references provide the teaching for which they were cited in the Action, the
8 Applicant has amended claim 1 as indicated above. For convenience of discussion,
9 the Applicant reproduces here claim 1 as it would stand after entry of the above
10 revisions:

11
12 Claim 1, as amended, defines a method for delivering a stored
13 message to a satellite radio receiver, including:

- 14
- 15 • receiving a password protected request from a subscriber via
16 a wireless communication device associated with a first
17 subscription service to retrieve the subscriber's personal
18 message, wherein the first subscription service comprises a
19 wireless telephone system and wherein the password
20 protected request provides access to the wireless telephone
21 system;
- 22 • retrieving the message from a second subscription service,
23 wherein the second subscription service comprises a digital
24 data network that transfers data using Internet Protocol (IP)
- 25

1 and wherein the password protected request is converted to
2 digital data and the password protected request gains access
3 to the digital data network in addition to gaining access to the
4 wireless telephone system;

- 5 • encoding the message for satellite transmission; and
6 • transmitting the message to a satellite via the second
7 subscription service for delivery to the satellite radio receiver,
8 wherein the satellite radio receiver decodes the message, and
9 • wherein the password protected request includes a specific
10 location for finding the message on one of multiple servers of
11 the digital data network and wherein the password protected
12 request includes a specific destination location of the satellite
13 radio receiver, wherein the satellite radio receiver is installed
14 in an automobile.

15
16 The Applicant submits that the above revisions to claim 1 are **fully**
17 **supported under 35 U.S.C. § 112, 1st paragraph**, at least by page 5, paragraph
18 [0015] of the Applicant's Specification, as well as by Figure 2.

19 The Wiedeman patent pertains generally to a global mobile paging system
20 that enables users of the system to receive pages based on location and
21 availability, with an added ability to roam freely and receive pages over wide
22 geographical areas (Wiedeman, Col 1, lines 45-50 and 57-62). The system allows
23 the receipt of pages over regions where there are incompatible paging systems,

1 thereby giving the user the ability to roam without fear of missing a page (Col 2,
2 lines 6-10).

3 The Wiedeman reference does not teach or suggest every element of
4 Applicant's amended claim 1. For example, Wiedeman does not teach or suggest
5 a "...password protected request from a subscriber via a wireless communication
6 device associated with a first subscription service to retrieve the subscriber's
7 personal message, wherein the first subscription service comprises a wireless
8 telephone system, and wherein the password protected request provides access to
9 the wireless telephone system; retrieving the message from a second subscription
10 service...wherein the password protected request gains access to [a] digital data
11 network in addition to gaining access to the wireless telephone system;
12 ...transmitting the message to a satellite...for delivery to the satellite radio
13 receiver...wherein the password protected request includes a specific location for
14 finding the message on one of multiple servers of the digital data network and
15 wherein the password protected request includes a specific destination location of
16 the satellite radio receiver, wherein the satellite radio receiver is installed in an
17 automobile," as in Applicant's claim 1 after entry of the above revisions.

18 Instead, the Wiedeman reference, in contrast to claim 1, discloses a
19 communications system that enables users to receive paging messages through a
20 satellite-based communications system or a conventional terrestrial paging system,
21 based in part on the location or availability of the user (Wiedeman, Col. 1, lines
22 46-51). This system in Wiedeman does not teach or suggest a method for delivery
23 of a stored message to a satellite radio receiver, where the initial password
24 protected request for a personal message includes the location of the message on a
25

1 specific server in addition to the location of the satellite radio receiver for delivery
2 of the message, particularly, a specific satellite radio receiver installed in an
3 automobile.

4 The method disclosed in amended claim 1 enables a subscriber with paid
5 subscriptions to multiple wireless communication services to request and receive a
6 stored personal message across services for eventual listening via a satellite radio
7 receiver in an automobile. The satellite radio receiver in the automobile is used
8 for a satellite radio subscription service that may include numerous programs, such
9 as music and talk radio shows. The method of claim 1 requires secure password
10 entry upon a subscriber request for messages, where the password protected
11 request provides both security and information regarding server location of the
12 requested message and satellite radio receiver location for message delivery.
13 Because the Wiedeman patent does not teach or suggest every element of the
14 method of Applicant's claim 1, Applicant submits claim 1 is allowable over
15 Wiedeman.

16 Likewise, the Hirayama publication does not teach or suggest every
17 element of amended claim 1. That is, Hirayama does not teach or suggest
18 "...wherein the password protected request includes a specific location for finding
19 the message on one of multiple servers of [a] digital data network and wherein the
20 password protected request includes a specific destination location of the satellite
21 radio receiver, wherein the satellite radio receiver is installed in an automobile..."
22 as in Applicant's claim 1 after entry of the above revisions. In contrast, Hirayama
23 pertains to a customer management system for retail stores, which streamlines the
24 reception and organization of customer information while reducing time and
25

1 money spent by the stores (Hirayama, ¶0006 and ¶0007). The system in Hirayama
2 does not teach or suggest every element of Applicant's claim 1, and therefore adds
3 nothing to the missing teachings of the Wiedeman reference.

4 Because the Wiedeman and Hirayama references do not teach or suggest
5 each element of Applicant's claim 1, Applicant submits claim 1 is not obvious
6 over Wiedeman and Hirayama. Applicant respectfully submits that claim 1, as
7 amended, overcomes rejection under these references.
8

9 **Claims 4, 6, 7, 9, 10-13 and 15**

10 Claims 4, 6, 7, 9, 10-13 and 15 depend directly or indirectly from claim 1.
11 For at least the reasons set forth above with respect to claim 1, Applicant submits
12 that dependent claims 4, 6, 7, 9, 10-13 and 15 are also allowable over the
13 Wiedeman and Hirayama references. Claims 4, 6, 7, 9, 10-13 and 15 depend from
14 claim 1, and therefore, these claims should also be allowable for the reasons stated
15 above with respect to claim 1 when contrasted with the Wiedeman and Hirayama
16 references as well as for the additional features they recite.
17

18 **Claim 17**

19 Turning next to **independent Claim 17**, without conceding the propriety of
20 the stated rejection, and without conceding that the Wiedeman and Hirayama
21 references provide the teaching for which they were cited in the Action, the
22 Applicant has amended claim 17 as indicated above. For convenience of
23 discussion, the Applicant reproduces here claim 17 as it would stand after entry of
24 the above revisions:
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1
2 Claim 17 defines a computer program stored on a computer readable
3 medium, including instructions to:

- 4 • receive a password protected request from a subscriber via a
5 wireless communication device associated with a first
6 subscription service to retrieve the subscriber's personal
7 message, wherein the first subscription service comprises a
8 wireless telephone system and wherein the password
9 protected request gains access to the wireless telephone
10 system;
- 11 • retrieve the message stored for a subscriber from a message
12 server via a second subscription service, wherein the second
13 subscription service comprises a digital data network that
14 transfers data using Internet Protocol (IP) and wherein the
15 password protected request is converted to digital data and the
16 password protected request gains access to the digital data
17 network in addition to gaining access to the wireless
18 telephone system; and
- 19 • encode the message via the server for satellite transmission.

20
21 Applicant respectfully submits that claim 17, as amended, is also not
22 obvious over the Wiedeman and Hirayama references for similar reasons as explained
23 for amended claim 1. Claim 17 describes a computer program stored on a computer
24 readable medium with instructions for subscriber retrieval of personal messages,

1 where a password protected request for messages from a wireless telephone system
2 subscription service gains access to both the wireless telephone system subscription
3 service and the digital data network of a second subscription service. The Wiedeman
4 and Hirayama references do not teach or suggest a computer program with
5 instructions for achieving access to more than one subscription service via a password
6 protected request for personal messages, as in Applicant's claim 17. Instead,
7 Wiedeman pertains to a communications system that enables users to receive paging
8 messages through a satellite-based communications system or a conventional
9 terrestrial paging system based on the location or availability of the user (Wiedeman,
10 Col. 1, lines 46-51), and Hirayama pertains to a customer management system for
11 retail stores which streamlines the reception and organization of customer information
12 while reducing time and money spent by the stores (Hirayama, ¶0006 and ¶0007).
13 Because the Wiedeman and Hirayama references do not teach or suggest each
14 element of Applicant's claim 17, Applicant respectfully submits that claim 17 is not
15 obvious over Wiedeman and Hirayama, and is therefore allowable.

16

17

18 **Claim 20**

19 Turning next to **independent Claim 20**, without conceding the propriety of
20 the stated rejection, and without conceding that the Wiedeman and Hirayama
21 references provide the teaching for which they were cited in the Action, the
22 Applicant has amended claim 20 as indicated above. For convenience of
23 discussion, the Applicant reproduces here portions of claim 20 as it would stand
24 after entry of the above revisions:

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2 Claim 20, as amended, defines a system for delivering a stored
3 message to a satellite radio receiver, including:

- 4
- 5 • means for receiving a password protected request from a
6 subscriber via a wireless communication device associated
7 with a first subscription service to retrieve the subscriber's
8 personal message, wherein the first subscription service
9 comprises a wireless telephone system and wherein the
10 password protected request gains access to the wireless
11 telephone system;
- 12 • means for retrieving the message from a message server of a
13 second subscription service, wherein the second subscription
14 service comprises a digital data network that transfers data
15 using Internet Protocol (IP) and wherein the password
16 protected request is converted to digital data and the password
17 protected request gains access to the digital data network in
18 addition to gaining access to the wireless telephone system;
- 19 • means for encoding the message via a server for satellite
20 transmission;
- 21 • means for transmitting the message to a satellite via the
22 second subscription service for delivery to the satellite radio
23 receiver, wherein the satellite radio receiver decodes the
24 message, and
- 25

- 1 • wherein the password protected request includes a specific
2 location for finding the message on one of multiple servers of
3 the digital data network and wherein the password protected
4 request includes a specific destination location of the satellite
5 radio receiver, wherein the satellite radio receiver is installed
6 in an automobile.

7

8 Applicant respectfully submits that claim 20, as amended, also overcomes
9 rejection under 35 USC §103(a) and is not obvious over the Wiedeman and
10 Hirayama references for similar reasons as explained for claim 1. Claim 20
11 describes a system where a password protected request for a personal message
12 achieves access to a wireless telephone system subscription service and to a digital
13 data network of a second subscription service. Applicant's claim 20 also describes
14 a "...password protected request [that] includes a specific location for finding the
15 message on one of multiple servers of the digital data network and wherein the
16 password protected request includes a specific destination location of the satellite
17 radio receiver, wherein the satellite radio receiver is installed in an automobile."
18 The Wiedeman and Hirayama references do not teach or suggest a system for
19 delivering a stored message to a satellite radio receiver with a password protected
20 request for a personal message that accesses more than one subscription service
21 and also reveals the location of the personal message as well as the satellite radio
22 receiver location for message delivery, as in Applicant's amended claim 20.
23 Because Wiedeman and Hirayama do not teach or suggest each element of

1 Applicant's claim 20, Applicant respectfully submits that claim 20 is not obvious
2 over the Wiedeman and Hirayama references, and therefore, is allowable.

3

4 **Claim 2**

5 The Office rejects claim 2 as being unpatentable over Wiedeman in view of
6 Hirayama, further in view of U.S. Patent Publication 2005/0239399 A1 to Karabinis.
7 The Applicant respectfully traverses these rejections.

8 Claim 2 depends directly from independent claim 1. Therefore, the
9 comments directed above to claim 1 apply equally to claim 2, as well as for the
10 additional features recited in this dependent claims.

11 For at least these reasons set forth with respect to amended claim 1,
12 Applicant submits that dependent claim 2 is also not obvious over Wiedeman and
13 Hirayama. Further, the Karabinis publication adds nothing to the missing
14 teachings of Wiedeman and Hirayama considering current amendments to claim 1.
15 Claim 2 depends from claim 1, and therefore, this claim should be allowable for
16 the reasons stated above with respect to claim 1.

17

18 **Claims 3 and 5**

19 The Office rejects claims 3 and 5 as being unpatentable over Wiedeman in
20 view of Hirayama, further in view of U.S. Patent Publication 2004/0120273A1 to
21 Border, et al, hereinafter "Border." The Applicant respectfully traverses these
22 rejections.

1 Claims 3 and 5 directly from independent claim 1. Therefore, the
2 comments directed above to amended claim 1 apply equally to claims 3 and 5, as
3 well as for the additional features recited in these dependent claims.

4 For at least these reasons set forth with respect to amended claim 1,
5 Applicant submits that dependent claims 3 and 5 are also not obvious over
6 Wiedeman and Hirayama. Further, the Border publication adds nothing to the
7 missing teachings of Wiedeman and Hirayama considering current amendments to
8 claim 1. Claims 3 and 5 depend from claim 1, and therefore, these claims should
9 be allowable for the reasons stated above with respect to claim 1.

10

11 **Claims 14 and 19**

12 The Office rejects claims 14 and 19 as being unpatentable over Wiedeman
13 in view of Hirayama, further in view of U.S. Patent Application Publication
14 2003/0006910 to Dame, hereinafter “Dame.” The Applicant respectfully traverses
15 these rejections.

16 Claims 14 and 19 depend directly from independent claims 1 and 17,
17 respectively. Therefore, the comments directed above to amended claims 1 and 17
18 apply equally to claims 14 and 19, as well as for the additional features recited in
19 these dependent claims.

20 For at least these reasons set forth with respect to amended claims 1 and 17,
21 Applicant submits that dependent claims 4 and 19 are also not obvious over
22 Wiedeman and Hirayama. Further, the Dame publication adds nothing to the
23 missing teachings of Wiedeman and Hirayama considering current amendments to
24 claims 1 and 17. Claims 4 and 19 depend from claims 1 and 17, respectively, and

1 therefore, these claims should be allowable for the reasons stated above with
2 respect to claims 1 and 17.

3

4 **Claims 16 and 18**

5 The Office rejects claims 16 and 18 over Wiedeman in view of Hirayama,
6 further in view of U.S. Patent Application Publication 2003/0028890 A1 to Swart et
7 al, hereinafter "Swart." The Applicant respectfully traverses these rejections.

8 Claims 16 and 18 depend directly from independent claims 1 and 17,
9 respectively. Therefore, the comments directed above to amended claims 1 and 17
10 apply equally to claims 16 and 18, as well as for the additional features recited in
11 these dependent claims.

12 For at least these reasons set forth with respect to amended claims 1 and 17,
13 Applicant submits that dependent claims 16 and 18 are also not obvious over
14 Wiedeman and Hirayama. Further, the Swart publication adds nothing to the
15 missing teachings of Wiedeman and Hirayama considering current amendments to
16 claims 1 and 17. Claims 16 and 18 depend from claims 1 and 17, respectively,
17 and therefore, these claims should be allowable for the reasons stated above with
18 respect to claims 1 and 17.

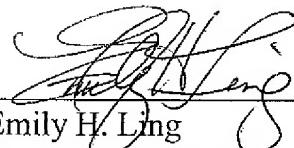
1 **Conclusion**

2 The Applicant submits that all of the claims in this application are now in
3 condition for allowance. Applicant respectfully requests that a Notice of
4 Allowability be issued. If there are any questions, Applicant respectfully requests
5 that the undersigned attorney be contacted for the purpose of scheduling an
6 interview.

7
8 Respectfully Submitted,

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10 Dated: 7/10/06

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